

JOINT ANTELOPE VALLEY AUTHORITY

Board Meeting April 24, 2001

Meeting Began at: 9:04 a.m.
Meeting Ended at: 10:20 a.m.

Members Present: Allan Abbott, Scott Lewis, Glenn Johnson

Others Present: Roger Figard, Margaret Remmenga, Lynn Johnson, Amy Cornelius, Rick Herrick, Delores Lintel, Randy Stramel, Mike Morosin, Pam Manske, Rick Krueger, Jim Cook, Bruce Sweney, James Mastera, Beth Thacker, Terry Uland, Scott Sullivan, Kent Seacrest, JJ Yost, Kim Todd

Order No. 00-01 - Call Meeting to Order

The Joint Antelope Valley Authority Meeting was called to order by Glenn Johnson at 9:04 a.m. All board members were present upon roll call. Scott Lewis sat in Christine Jackson's absence.

Order No. 01-02 - Minutes of Previous Meeting

Lewis moved to approve the minutes from the JAVA Board meeting on February 20, 2001. Abbott seconded.

AYE: Johnson, Lewis, Abbott

NAY:

Order No. 01-03 - Review of draft functional design plans, comments from the Citizen's Committee and others, and approval of functional design plans.

Rick Herrick from the Study Team gave an update on the changes made in the draft functional plans. Herrick stated that they had received comments from all of the reviewing agencies and the partners and are in the process of forming a written response to each comment. The comments have been divided into three categories. The first group of comments required a change to the functional design drawings. The second group of comments were more detailed and have to be determined in the final design. The third group of comments are mostly questions that required a written or verbal response. The majority of the comments were received from UNL and Department of Public Works. The Study Team has met with those two groups independently.

Herrick expects to have a written list of all the responses and all the changes to the plans completed before the end of this week. We will then be prepared to move forward with the final design once there is a new contract for Phase V.

Johnson asked Herrick to describe some of the changes in the design plans. Herrick stated that most of the comments were minor in nature, dealing with locations of potential future driveways that may be impacted in the State Fair Park Master Plan or the University Master Plan. There were some comments dealing with radius of curb returns. The ones that do not impact right-of-way, we have made immediately; the ones that might have an impact upon right-of-way acquisition, we are going to have to look at in more detail during the final design phase. Until we actually have the construction phasing worked out, which is a Phase V task, we cannot directly respond to those questions, but coordination will be required.

Lewis commented on some of the UNL City campus concerns. With the loss of some of the facilities at UNL, we are trying to see how we will fit those services into that new configured area.

Johnson asked for clarification on the changes that will be made by the end of the week. Olsson's will

prepare a set of final functional design drawings. The current plan is to distribute a full set of complete final functional design drawings to JAVA and reissue changed sheets only to the other reviewing agencies as well as the written response to every single comment.

Johnson asked about the next step. Herrick stated that the next step would be to enter into an Antelope Valley Phase V contract with either the City or JAVA. Moving forward with the final design would require some type of formal action from the board approving the functional design plans and making sure that they are consistent with the draft single package as adopted by JAVA.

Order No. 01-04 - Status of State and Federal legislation for funding

Johnson gave an update on the State level. There are two different funding efforts going on through the legislature for additional state funds.

1) The Governor's bill (LB657), which would take 2¢ of the existing cigarette tax and for 15 years dedicate \$1 million a year to Antelope Valley and \$1.5 million a year to the Omaha River front has had some minor amendments to it; one dealing with bonding and one dealing with combined sewers in the Omaha area. It is on select file. Due to a procedural situation, it did not advance from select file onto final reading on the vote. It is still in the legislative agenda, with the other issues and therefore it may be awhile before it comes back up. It is anticipated that it will come back up during this legislative session.

2) The Natural Resource District put in an application for resources development fund. The fund is administered by the Department of Natural Resources. The appropriations committee has included additional funds beyond the Governor's budget for the next two years for the flood control part of the Antelope Valley Project.

Johnson gave an update on the Federal legislation. Additional funding is being requested by the Corps of Engineers as a supplemental appropriation in the Armed Services Emergency Appropriations act for the planning engineering and design phase of the flood control portion of the Antelope Valley Project. The Nebraska Delegation is also requesting a \$3 million appropriation for the flood control project in the FY 2002 budget.

Abbott stated that we have also made contact with the Nebraska Delegation for additional funding from the RABA portion, the firewall protection for transportation in order to get an additional \$2 million for the street project portion of Antelope Valley. We've had contacts with Congressman Bereuter and Senator Nelson on including a request for those additional funds.

Order No. 01-05 - Status of lawsuit against JAVA

Johnson discussed the status of the lawsuit that was filed against the City of Lincoln in terms of the question of the formation of JAVA. Both sides have filed motions for Summary Judgement. The judge set the schedule for yesterday for filing of simultaneous briefs. In reply briefs will be due on April 30, 2001. The suit does involve the City of Lincoln, the University of Nebraska and the Natural Resource District.

Order No. 01-06 - Review and consideration of Budget for FY 2002

Roger Figard and Margaret Remmenga reviewed the proposed budget for FY 2002 (attached).

Figard did not ask for any JAVA Board action at this meeting. In the draft budget, it shows the FY 2000/2001 budget that has an operating budget of \$45,000.00. Of that amount, we have spent \$9,244.00. Figard is proposing that there would be a similar operating budget for the upcoming year. In the construction budget, we had a proposed budget of \$5,875,500.00. That was made of \$150,000.00 for storm water management and then \$5.685 million from the City CIP for transportation. The \$150,000.00 for storm water management was submitted from the NRD and put into the project account, because the actual operating agreement between JAVA and the Corps for implementation this last year did not occur and the

NRD was required to go ahead and sign the next Planning, Engineering and Design (PED) agreement. The PED agreement was actually signed between the NRD and the Corps of Engineers and that \$150,000 was transferred back out of the JAVA account to the bank for the Corps to be making payments. Because of the question of what was going on with JAVA and the lawsuit, the City at this point in time has chosen not to actually appropriate or transfer the appropriations from the City's Capital Improvement Program into the JAVA account. We have continued to pay the necessary bills out of the City account and track it on the City side.

For next year and the Capital Improvements, the budget shows \$8,688,000.00 in Transportation, that is the exact dollar amount that is currently being proposed in the City's upcoming 2001/2002 Fiscal year. Storm Water Management is \$1,721,000.00. Johnson had proposed \$4.7 million as a possibility. Which would include \$3 million that the Corps would be providing because that would not come into JAVA and then go back.

Figard would like the opportunity to continue working on the Community Revitalization component and also then prepare, for both Transportation and Storm Water, an additional sheet that would show the components of how that money is intended to be spent in the upcoming year. Figard is also requesting additional time to work with Urban Development and Parks and Recreation to flesh out theirs for next year.

Remmenga illustrated how the City is tracking those funds on the City's JDE Financial system. She indicated that the financial operating reports are available anytime. The business office will be keeping a copy of all the bills and expenditures that come through should anyone wish to see them.

Figard added, that in the operating budget, there was \$18,000 for salaries. There is some of Figard's and Cornelius' time that is still in the City's tracking system and we need to bill that over to the JAVA account and will be doing that before the end of the year.

Abbott had a question on procedure. Since each of our organizations have to approve the individual budgets before the money can officially come to JAVA, JAVA would have to wait to approve their budget until each of the agencies had approved their individual budgets for that year.

Lewis suggested that a proposed budget be provided to each agency. Johnson concurred that the Interlocal Agreement mentions preparation by JAVA of proposed budget and review with the JAVA Board, submittal back to the three members and once they have approved adopted budgets for the year then a consolidated budget is brought back to JAVA for final approval.

Lewis indicated that JAVA had adopted the same fiscal year as the City to make accounting a little easier. He asked if we expect that our lobbying expense will be completed this fiscal year or will that carry over to next year? Figard thought that there may be some carryover and would follow up on Lewis' question.

Johnson wanted to know if there would there be a separate audit for JAVA. Remmenga suggested that a separate audit would be necessary but she would double check on that to be sure.

Order No. 01-07 - Right-of-way acquisition - process and schedule

Rick Herrick has been working on the process and schedule of Right-of-way acquisition with the Study Team. Acquisition of right-of-way will have to precede construction for any component of Antelope Valley. The actual construction phasing of the various Phase I Antelope Valley projects will not be determined until they begin final design work. They have been thinking about what needs to be done first and have been organizing our thoughts based upon discussions from the partnership and the management committee.

It is anticipated that one of the first items of construction will be Northeast Community Park and if possible to have that construction start this fall or next spring. This means that right-of-way acquisitions in area of Northeast Community Park would have to be top priority and start to occur relatively soon.

In terms of the Waterway, we anticipate the first item of construction to start at the downstream end at Salt Creek and work south to the Burlington Northern Railroad. We anticipate that construction to occur in 2002. Most of those properties are currently owned by state agencies and we expect transfer of that property to the appropriate governing body. They have had their first meeting with the attorneys representing the state agencies to start to define that process.

In 2003, there would be a very aggressive start of construction. They anticipate that the roadway section downtown from K to Q street would be accelerated from a previous schedule. Because of other priorities and development pressure, they believe that JAVA will want to accelerate that portion of the roadway. There are several private properties required for construction of that. Most of them are total acquisitions, so acquisition could begin prior to final design being completed.

Construction of the elevated intersection over the railroad should begin in 2003 as well. Most of those properties are state properties. In conjunction with construction of the elevated intersection, the piece of the storm water channel in linear park from the railroad south to Vine St. would have to be constructed in that same time frame.

Until they get into final design and agreement from the management committee and the partners to this construction sequence, they won't be able to finalize this priority list. We are working closely with the Urban Development real estate section that will be actually doing the acquisition and we are aware of the intricate processes that are required by both the Federal Highway and the Corps of Engineers to protect our funding.

Johnson stated that one of the future agenda items for the JAVA Board will be to discuss is how the property will be titled.

Order No. 01-08 - Report and comments from Citizen's Committee

Randy Stramel and Pamela Manske represented the Citizen's Committee and presented their comments to the board based on the minutes of their last meeting dated April 5, 2001 (attached).

Stramel requested an overlay zoning map for the Antelope Valley Project so that the committee can see the relationship between the zoning and the project.

All three Board members indicated their appreciation for the work that the Citizen's Committee is doing.

Johnson referred back to the original letter that went out soliciting people to serve on the Citizen's Committee. A couple of the points that the Citizen's Committee was going to be asked to do were to listen and respond to community and individual comments, needs, questions and concerns. They needed to work with the City, NRD and University, other governmental entities, advisory and approval bodies. However, we don't want to have two parallel actions going on at the same time. The Study Team is also charged with doing the same thing. There are some logistics that will need to be worked out.

Abbott wanted the Citizen's Committee to take the various comments from the community and weigh their importance.

Lewis indicated that there is value in additional sub-committees being formed. On coordination of these sub-committees, Lewis suggested that we consider these additional sub-committees being appointed by the President of the Citizen's Advisory Committee with concurrence of the Chairman of JAVA.

Lewis commented on the issue of administrative support. Lewis' view was that JAVA would provide the support to the Citizen's Advisory group, which indirectly means going to the City for that support.

Johnson stated that all the issues that the Citizen's Committee brought up are important issues and need to be addressed. They also need to stay on the surface as we move into the next phase of the detailed design

and the redevelopment planning process.

Stramel wanted to make sure that the Citizen's Committee are bringing up their concerns early so that they are not simply responding to what's done from a design point, but providing programming input that comes from the community.

Lewis wanted clarification on a couple of points. Lewis wanted to know which Parking Garage they were thinking about? Manske thought that they could use an existing garage or even build one for events use. Stramel added that there is a University Parking Garage going up at 17th Street that might be a possibility for a time-share use. Abbott clarified that the main idea is to ensure that parking does not infringe on the surrounding neighborhood.

Lewis' second item was regarding the Kukland pool closing. Lynn Johnson from Parks and Rec responded. Johnson stated that even though the plans had always showed the pool to stay open, the pool's walls are failing and the usage of the pool has also significantly changed. They're looking at re-investing in Wood's pool and broadening the family based activities there, essentially making Wood's the neighborhood pool that services that area.

Abbott wanted clarification about the shadow at the overpass. Stramel is concerned that the project would remove a property owner's right to sunlight in the Northbottoms area, thereby reducing the value of the property.

Mike Morosin had concerns on three separate issues. He would like a head start in the process of relocation of businesses and residents with those directly involved. Morosin also thought that the UNL shuttle buses are adding to the parking issues. Finally, he raised concerns about the possibility of Kukland pool closing. Morosin thought the neighborhood pool supports many parts of the community.

Delores Lintel brought up a concern with the intersection and the overpass south of Devaney. She was concerned about the incline and was wondering if there was some way to design it so that it is more open. She thought this would be a good opportunity for a sub-committee for that community.

Figard suggested to defer motion for sub-committees because the redevelopment plan does include a public process.

Abbott suggested that the Study Team get together with the Citizen's Committee to get further input. Kent Seacrest agreed to set up a meeting with the Citizen's Committee.

Order No. 01-09 - Public comments on non-agenda items

Lewis moved to adjourn the meeting. Abbott seconded.
Meeting adjourned at 10:20 a.m.